770PRLFSF552



DocumentID PRLF092

SITENAME WAKE

DocumentType Correspondence (C)

RptSegment 1

10/13/2010

DocRcvd 10/13/2010

Box SF552

AccessLevel Public

Division Waste Management

Superfund

Program IHS (IHS)

DocCat Facility



Beverly Eaves Perdue Governor Division of Waste Management Dexter R. Matthews Director

Dee Freeman Secretary

October 13, 2010

Mr. David Cooke County Manager Post Office Box 550 Raleigh, North Carolina 27602

Subject: Pre-Regulatory Landfill Sites in Wake County

Dear Mr. Cooke:

The General Assembly of North Carolina enacted Senate Bill 1492 which created a program to assess the public health and environmental hazards at landfill and dump sites that operated prior to 1983 and to develop and implement remedial action plans at sites requiring remediation. The Pre-Regulatory Landfill Unit (Unit) was created in the Inactive Hazardous Sites Branch (IHSB) to oversee these activities. The purpose of this letter is to make you aware of the sites identified in your county and to provide general guidance of relevant state statutes.

Based on the information obtained by the Unit, the sites listed below tentatively qualify under Senate Bill 1492.

ID Number	Site Name	Site Address
NONCD0000685	OLD RALEIGH LF #2	1401 CAPITAL BLVD
NONCD0000601	Rolesville Dump	; HWY 401, Rolesville
NONCD0000602	Cary Dump	313 N DIXON ST
NONCD0000603	Knightdale Dump	Robertson
NONCD0000729	Elwood Pines Dump	Newspaper Way, Holly Springs
NONCD0000604	Garner Trash Dump	HWY 50
NONCD0000610	Old Raleigh Ldfl #11 - Dorothea Dix	DOROTHEA DIX HOSPITAL
NONCD0000609	Wendell Dump	LAKE GLAD RD
NONCD0000608	Zebulon Dump	509 Horton St
NONCD0000607	NC Dept. of Agriculture LF	SR 1656/Trinity Rd.
NONCD0000606	Fuquay Varina	900 Angier Rd
NONCD0000665	old holly springs dump/ Cary sanitary LF	Holly Springs Rd
NONCD0000669	Bentley woods site	PERRY CREEK RD., Raleigh
NONCD0000684	: OLD RALEIGH LF #1	1430 S Blount St
NONCD0000686	OLD RALEIGH LF #3	1408 BROOKSIDE RD
NCD980502793	Apex Sanitary LF	451 W Williams St
NONCD0000687	OLD RALEIGH LF #4	1817 CAPITAL BLVD
NONCD0000688	OLD RALEIGH LF #5	2405 WADE AVE
NONCD0000689	OLD RALEIGH LF #6	BLUFF ST



ID Number	Site Name	Site Address
NONCD0000690	Old Raleigh LF #7	2226 Capital Blvd.
NONCD0000201	GILL STREET PARK	N GILL ST, Zebulon
NCD065300113	Rowland LF	3000 GRESHAM LAKE RD, Raleigh
NONCD0000691	OLD RALEIGH LF #8	Industrial Dr
NCD980845903	Old Raleigh #9-Howard Johnson Crabtree	2102 CENTURY DRIVE
NONCD0000693	OLD RALEIGH LF #10	211 Six Forks Rd
NONCD0000668	South Saunders St Dump	2603 Saunders & 601 Carolina Pines
NONCD0000694	OLD RALEIGH LF #12	SHIRLEY ST
NONCD0000667	W.E. Buffaloe, Jr. Private Dump	401 S, Garner
NONCD0000605	Holly Springs Dump	BASS LAKE RD
NONCD0000696	WALTON'S SANITATION SERVICE DUMP	CHURCH ST, Morrisville
NONCD0000697	LAKES APTS	OFF SANDY FORKS RD, Raleigh

Work at these sites may be performed using the Unit's resources or through local government actions. The Unit has prioritized the sites statewide based on their threat to public health and the environment and will perform assessments and implement remedial actions based on this priority. Local governments may opt to perform the work at any time under the guidance of the Unit. Reimbursement of local government costs may be available for assessments and remedial actions to abate an imminent hazard as funds are available. The conditions for reimbursement include approval of the assessment and remediation plan by the Unit and certified accounting of costs. A document, IHSB Guidelines for Addressing Old Landfills & Dumps, was developed to assist local governments and the Unit in this work. It is available on our web site, http://portal.ncdenr.org/web/wm/sf/ihs/ihsoldlf, for your review.

An additional purpose in notifying you of these sites is to provide information to assist in your responsibilities in the permitting of private drinking water wells. The General Assembly enacted legislation which required local health departments to implement programs for the permitting, inspecting, and testing of private drinking water wells by July 1, 2008. State well construction standards in 15A NCAC 2C require a minimum horizontal separation of 500 feet between a water supply well and a landfill or disposal site. More precise location information for the sites in your county may be requested from the Unit.

If you are aware of additional sites, have additional information on the identified sites, or need further information, please email me at analee.thornburg@ncdenr.gov or you can call Bruce Lefler at (919) 508-8463

Sincerely,

Analee Thornburg

Pre-Regulatory Landfill Unit Inactive Hazardous Sites Branch

analu Thornburg

Superfund Section

cc: Ms. Sue Lynn Ledford, Health Director – 10 Sunnybrook Road, Raleigh, NC 27620



11018-07-92

HUNTON & WILLIAMS LLP POST OFFICE BOX 109 RALEIGH, NORTH CAROLINA 27602

TEL FAX 919.899.3000 919.833.6352

MATTHEW F. HANCHEY
DIRECT DIAL: 919.899.3047
EMAIL: mhanchey@hunton.com

TLE NO: 69356.2 DOC NO: 305522

Via Hand Delivery

April 30, 2007

Mr. Bruce Nicholson N.C. Brownfields Program 401 Oberlin Road, Suite 150 Raleigh, North Carolina 27605

Re:

Brownfield Letter of Intent

Alminta Partnership

Sewer Plant Rd, Holly Springs, NC

Dear Mr. Nicholson:

On behalf of my client, Alminta Partnership ("Alminta"), I submit this letter as notice of intent, as owner of the property described herein (the "Property"), to seek a Brownfields Agreement ("BFA") under the North Carolina Brownfields Act and Program. Pursuant to the Guidance for Letter of Intent Submittals, Alminta provides the following information:

Name, Address, E-mail Address, Telephone and Fax Number of Prospective Developer ("PD")

Alminta Partnership 4905 Greenbreeze Lane Fuquay-Varina, NC 27526

Phone: (919) 218-0516 (cell phone)

E-mail: mminer3@nc.rr.com

Name, Address, E-mail Address, Telephone and Fax Number of the PD Contact Person

Morris Miner 4905 Greenbreeze Lane Fuquay-Varina, NC 27526

Phone: (919) 218-0516 (cell phone)

E-mail: mminer3@nc.rr.com

Name, Address, E-mail Address and Telephone Number of PD's Affiliates

Alminta is a general partnership with three partners: Morris Miner, Marek Alapin and Thomas S. Taylor. Each of these individuals has other business interests and is associated with other



April 30, 2007 Page 2 of 4

enterprises unrelated to the partnership. Drawing from the definition of "affiliate" found in N.C. Gen. Stat. § 130A-310.31(b)(1) and 17 C.F.R. § 240.12b-2, no other person or entity "controls, or is controlled by, or is under common control with" the Alminta partnership, so Alminta has no affiliates. Alminta will provide additional information on this topic if it is requested by the Brownfields Program.

Description and History of the Property

The Property is located in Holly Springs, Wake County, North Carolina. It has a parcel number 0649438316. The Property is approximately 3.18 acres located in the Holly Springs Industrial Park. Other businesses in the park include the Holly Springs Public Works Department, Triangle Tank and Truck Wash, Warp Technologies, Inc., and Rodney's Custom Signs. The Property is bounded to the east by the Highway 55 Bypass. The land across the Bypass is in residential use.

The lot contains no buildings and is covered by vegetation, with some portions densely wooded. It contains a small creek and wetland area running from the northeast to the southwest across the center of the lot. The Property generally slopes downward toward the southern portion of lot, with maximum relief across the site of approximately twenty to thirty feet. The southeastern portion of the Property contains a landfill that is no longer in use. Concrete, asphalt, and trash debris are all apparent protruding from the surface at the landfill, and test pits encountered debris to depths of five to twelve feet below the surface. Additionally, there are several piles of trash, including tires, glass bottles, metal cans and used appliances, in the southwestern portion of the site.

The history of this parcel was compiled by environmental consultants, Terra Tech Engineers, Inc, as part of a Phase I Environmental Assessment. It is based on review of historical aerial photographs and the chain of title. The Property is currently undeveloped and has never contained buildings. Prior to 1973, the Property was owned by the Baker family. In 1953, the owner of the Property leased it to the Town of Holly Springs for use as a gravel supply and for a landfill. This lease was terminated in 1973. In that same year, the property was transferred to the Holleman family. In 1988 the property was acquired by Alminta.

A site survey conducted in 2006 revealed soil contamination at the location of the landfill on the Property. Specifically, three soil cores taken from the landfill contain concentrations of arsenic higher than the Division of Waste Management, Inactive Hazardous Site Branch Soil Remediation Goals. The three cores contained arsenic at concentrations of 7.8, 4.7, and 6.6 ppm, compared to a remediation goal for arsenic of 4.4 ppm. The source of this contamination is unknown, since Holly Springs has not responded to inquiries regarding the nature of the waste deposited in the landfill.



April 30, 2007 Page 3 of 4

Intended Use of the Redeveloped Property

Alminta is applying for a Brownfields Agreement as a current owner and seller rather than as a buyer of the Property. As a result, Alminta does not have specific plans to redevelop the Property, but intends to market the Property for common development. It is anticipated that the Property will be purchased for commercial use, likely for development as office and warehouse space, consistent with its location in the Holly Springs Industrial Park. The site is zoned "Highway Business," and the Town of Holly Springs will have site-plan approval over any future use. Alminta is requesting a BFA in order to make the Property marketable for these purposes.

Description of All Public Benefits

Redevelopment of this Property for use as described above will ensure that remediation of environmental conditions will be conducted in a timely and effective manner. The arsenic in the soil appears to be associated with the landfill used at one time by the Town of Holly Springs. The landfill has not been used for thirty years and is not monitored or maintained in any way. There is no other active use of the property that would require clean-up of the landfill and associated arsenic. However, were the Property redeveloped, the arsenic and landfill would be dealt with in a safe and efficient manner.

Additionally, the Property is likely to continue to deteriorate without redevelopment. Situated as it is between the industrial park and the Highway 55 Bypass, the Property is in an area that is heavily trafficked. Left alone it will likely only collect debris, as evidenced by the piles of trash now present at the site. The presence of the landfill at the site likely contributes to the perception that the Property can be used by unauthorized individuals as a dumping ground. It is anticipated that without redevelopment, this situation will not improve.

Alminta also anticipates that the redevelopment will create new jobs at the Property. Currently, there are no jobs at that location. Nonetheless, the Property's position along the Highway 55 Bypass, combined with the surrounding industrial park, makes it well situated for a use that is consistent with that development. It is likely that any purchaser of the Property would use it for a commercial use, with the result that jobs would be created at the site.

Demonstration that PD has Financial, Managerial, and Technical Means to Implement Brownfields Agreement and Assure Safe Use of the Property

Alminta states that it has the financial, technical, and managerial means to implement a BFA and to assure safe use of the Property. Alminta will provide any additional information that may be requested in order to further support this statement.



April 30, 2007 Page 4 of 4

Commitment that PD will Comply with Applicable Requirements

Alminta agrees to comply with all applicable procedural requirements of the N.C. Brownfields Program, including payment of all statutorily required fees.

Attachments

The following are enclosed with this letter:

- A signed and notarized affidavit that certifies that Alminta, its parent companies, subsidiaries, partners and affiliates did not cause or contribute to the contamination at the Property and that Alminta and any parent company, subsidiary, partner and affiliate have substantially complied with the terms of any BFA, the requirements applicable to any remediation in which Alminta has previously engaged, and Federal and state laws, regulations, and rules for the protection of the environment;
- A USGS topographical quadrangle map showing the Property location;
- A survey plat of the Property with boundaries clearly identified and a metes and bounds legal description that matches the plat.

Please do not hesitate to contact me if you have any questions regarding this letter or information attached hereto. We look forward to working with you on this project.

Sincerely,

Matthew F. Hanchey

Matth 2/h _



Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor William G. Ross Jr., Secretary

February 26, 2007

<SAL> <FIRST> <LAST>, County Manager County of <MUNICIPALITY> <ADDRESS> <TOWN>, North Carolina <ZIP>

Subject:

Assessment, Cleanup, and Redevelopment of Old Landfill Sites Within Your Jurisdiction

Dear <SAL> <LAST>:

Governor Easley released his proposed budget February 22, 2007. Included in the budget is a specific item I believe should be of interest to you from a fiscal, environmental and public health protection perspective.

There are approximately 700 old landfills statewide and <LANDFILL#> old landfills in your local area that closed before the State permitting system became effective. These landfills are listed on the Old Landfill Sites portion of the Inactive Hazardous Sites Inventory maintained by the Superfund Section, Division of Waste Management. Any person, including local governments, that arranged for disposal or disposed of waste in the landfills may be held liable for the cleanup of the site. I have attached a report that identifies the location of known old landfill sites in <COUNTY NAME> County that may have closed prior to 1983 and thus qualify for the program described in this letter.

The Division has surveyed old landfills in 47 counties. The results of the survey indicate reason for concern about potential public health and safety impacts of these sites if they are not addressed. Seventy percent of the sites surveyed had a school, church, residence, day care or drinking water source within 1000 feet. The Division has found 102 old landfills that have a drinking water well within 500 feet. Thirteen of the landfills surveyed have residences built over the old landfill. The cost of assessment and cleanup of these old landfill sites can be as high as several million dollars.

Governor Easley's budget establishes a partnership between the State and local governments to both clean up the old landfill sites and provide funding for redevelopment of the sites. Many are in prime locations for redevelopment opportunities. The Governor's budget proposes to pay for cleanup and redevelopment of these sites through a surcharge on disposal of solid waste. The funding mechanism is a fair one. It is based on the idea that those who use solid waste disposal facilities should share responsibility for cleanup of sites used for solid waste disposal in the past that may have been lawful at the time, but did not meet standards that we now know are necessary to protect public health and safety.

The proposed \$2.00 per ton disposal surcharge would apply to residential, commercial, industrial, and construction and demolition debris type waste that is either disposed at a landfill or passes through a transfer station for disposal out-of-state. The State would use revenue from the surcharge to contract for cleanup of the old landfill sites and to provide grants to local government for redevelopment. The funds could also be used across the state to clean up other hazardous substance disposal sites that have no viable responsible party.

The only tool currently available to the State to ensure cleanup when it is needed is an enforcement action against those who owned, operated, or contributed to old landfills. The Governor's proposal would avoid placing an unreasonable

burden on any one local government and allow us to use our resources for actual cleanup rather than legal action. When old landfill sites were in use, North Carolina citizens, businesses, and industries benefited from their existence as a place to dispose of waste. The surcharge on waste disposal is a way for citizens, businesses, and industries to form a partnership for cleanup and redevelopment of these old landfill sites.

There is great interest this session of the General Assembly in strengthening requirements for landfills permitted in North Carolina. I encourage you to take a close look at legislation that will be introduced, specifically this initiative and what it can bring to your jurisdiction.

If you have questions regarding the program for clean-up of old landfills, please contact Jack Butler, Chief of the Superfund Section, at <u>jack.butler@ncmail.net</u> or call (919)508-8450.

Sincerely,

Dexter R. Matthews, Director

cc: David Thompson, NCACC

Jack Butler, Chief - Superfund Section



Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor William G. Ross Jr., Secretary

February 27, 2007

<SAL> <FIRST> <LAST> <TITLE>, <MUNICIPALITY> <ADDRESS> <TOWN>, North Carolina <ZIP>

Subject:

Assessment, Cleanup, and Redevelopment of Old Landfill Sites Within Your Jurisdiction

Dear <SAL> <LAST>:

Governor Easley released his proposed budget February 22, 2007. Included in the budget is a specific item I believe should be of interest to you from a fiscal, environmental and public health protection perspective.

There are approximately 700 old landfills statewide and <LANDFILL#> old landfills in your local area that closed before the State's permitting system became effective. These landfills are listed on the Old Landfill Sites portion of the Inactive Hazardous Sites Inventory maintained by the Superfund Section, Division of Waste Management. Any person, including local governments, that arranged for disposal or disposed of waste in the landfills may be held liable for the cleanup of the site. I have attached a report that identifies the location of known old landfill sites in your area that may have closed prior to 1983 and thus qualify for the program described in this letter.

The Division has surveyed old landfills in 47 counties. The results of the survey indicate reason for concern about potential public health and safety impacts of these sites if they are not addressed. Seventy percent of the sites surveyed and a school, church, residence, day care or drinking water source within 1000 feet. The Division has found 102 old andfills that have a drinking water well within 500 feet. Thirteen of the landfills surveyed have residences built over the old landfill. The cost of assessment and cleanup of these old landfill sites can be as high as several million dollars.

Governor Easley's budget establishes a partnership between the State and local governments to both clean up the old andfill sites and provide funding for redevelopment of the sites. Many are in prime locations for redevelopment apportunities. The Governor's budget proposes to pay for cleanup and redevelopment of these sites through a surcharge and disposal of solid waste. The funding mechanism is a fair one. It is based on the idea that those who use solid waste lisposal facilities should share responsibility for cleanup of sites used for solid waste disposal in the past that may have been lawful at the time, but did not meet standards that we now know are necessary to protect public health and safety.

The proposed \$2.00 per ton disposal surcharge would apply to residential, commercial, industrial, and construction and lemolition debris type waste that is either disposed at a landfill or passes through a transfer station for disposal out-of-tate. The State would use revenue from the surcharge to contract for cleanup of the old landfill sites and to provide rants to local government for redevelopment. The funds could also be used statewide to clean up other hazardous ubstance disposal sites that have no viable responsible party.

he only tool currently available to the State to ensure cleanup when it is needed is an enforcement action against those tho owned, operated, or contributed to old landfills. The Governor's proposal would avoid placing an unreasonable

burden on any one local government and allow us to use our resources for actual cleanup rather than legal action. When old landfill sites were in use, North Carolina citizens, businesses, and industries benefited from their existence as a place to dispose of waste. The surcharge on waste disposal is a way for citizens, businesses, and industries to form a partnership for cleanup and redevelopment of these old landfill sites.

There is great interest this session of the General Assembly in strengthening requirements for landfills permitted in North Carolina. I encourage you to take a close look at legislation that will be introduced, specifically this initiative and what it can bring to your jurisdiction.

If you have questions regarding the program for clean-up of old landfills, please contact Jack Butler, Chief of the Superfund Section at <u>jack.butler@ncmail.net</u> or (919) 508-8450.

Sincerely,

Dexter R. Matthews, Director

cc: Ellis Hankins, NCLM

Jack Butler, Chief - Superfund Section

The mailing list for these letters is filed in a folder in the first file cabinet drawer for the old landfill sites.

A statewide Old Landfill Inventory report is filed in a folder in the first file cabinet drawer for the old landfill sites.



Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor William G. Ross Jr., Secretary

January 18, 2007

Mr. Morris Miner Alminta A Partnership 602 East Academy Street Fuquay Varina, NC 27526-2382

Mr. Carl Dean Town Manager Town of Holly Springs PO Box 8 Holly Springs, North Carolina 27540

Re:

Holly Springs/Baker Dump

Hwy 55 bypass

Holly Springs, Wake County

NONCD 0000376

Dear Mr. Miner and Mr. Dean,

On September 22, 2006 Terra Tech conducted a visual inspection of Alminta A Partnership's 3.6 acre parcel, pin number 0649438316 located in Holly Springs. Results of the inspection were provided to the potential buyer, MacGregor Square LLC. The consultant recommended soil testing at the site since the inspection verified glass, cement, and asphalt was present.

MacGregor Square LLC had their consultant conduct soil sampling and testing at the site. Six soil samples were analyzed for volatile and semi-volatile organic compounds, pesticides, herbicides, oil and grease and eight RCRA metals. Three of the samples detected the presence of arsenic in concentrations that exceed the Inactive Hazardous Sites Branch soil remediation goals.

On November 6, 2006 I met with Mr. Daniel Brown representing MacGregor Square LLC about this property under consideration for purchase and development. The buyer was interested in pursuing a no further action from the Inactive Hazardous Sites Branch because the planned development involved family entertainment.

The North Carolina Division of Waste Management, Superfund Section, Inactive Hazardous Sites Branch (the "Branch") has been tasked with addressing old unlined landfills that are not subject to Division of Waste Management, Solid Waste Section post-closure regulations. The Branch then works with owners and responsible parties on final solutions for containment of the waste and to ensure safe

646 Mail Service Center, Raleigh, North Carolina 27699-1646

Phone 919-508-8400 \ FAX 919-715-3605 \ Internet http://wastenotnc.org

An Equal Opportunity / Affirmative Action Employer – Printed on Dual Purpose Recycled Paper

reuse of the old landfill sites. Safe reuse might involve engineering controls to prevent exposure to wastes (if necessary), restrictive covenants limiting the property to certain uses, and setting conditions for construction and/or other soil disturbing activities.

The Branch has been notified that redevelopment activities are currently planned for commercial use on property located at NC highway 55 and Sewer Plant Road in Holly Springs, North Carolina. You are being contacted because ownership indicates that the property is owned by Alminta A Partnership and the site was used from 1953 to 1973 to dispose of debris generated by the Town of Holly Springs.

When the Branch is notified of the potential redevelopment of an old landfill site, the owners and responsible parties are encouraged to conduct assessment activities, per Branch guidelines, prior to redevelopment to identify public and environmental hazards associated with the old landfill. If the owners and responsible parties do not conduct assessment activities prior to redevelopment, the Branch has the authority to require such assessment activities at any time. If the site is redeveloped and it is determined that site conditions pose a risk to the public and/or the environment, the Branch may order you to conduct remedial action to abate the hazard or the site may be forwarded to the federal Superfund program.

We encourage Alminta A Partnership to conduct a site assessment of the landfill with Branch oversight prior to redevelopment. This will provide information as to what hazards exist that need to be addressed to prevent exposure and result in a final remedy for safe reuse of the site. If you have any questions, please contact me at (919) 508-8465.

Sincerely,

Cheryl Marks, Hydrogeologist Inactive Hazardous Sites Branch

Superfund Section

Inventory of Current and Completed Landfill Sites Used by the City of Raleigh 1939 to Present Prepared by Sanitation Division August 26, 1981

Inventory of Current and Completed Landfill Sites
Used by the City of Raleigh
1939 to Present

Prepared by Sanitation Division August 26, 1981

CITY OF RALEIGH NORTH CAROLINA

INTER-OFFICE CORRESPONDENCE

TO: Director of Public Works ROOM: 416

FROM: Asst. Sanitation Superintendent DATE: August 25, 1981

SUBJECT: Inventory of Landfill Sites Used by the City of Raleigh

MESSAGE:

The information submitted in this inventory was obtained from previously prepared reports, court house records, visual observations, and the memories of several city employees. All sources agreed basically on the site locations and types of waste disposed of at each location. Considerable variances occurred, however in the dates of activity, surface areas, and depths of fill.

As would be expected, the older, smaller, less documented the site, the greater the variances in information. Therefore, for the purpose of this inventory, the following order of priority was used for reliability: 1) certified documents, ie, deeds, plans, etc., 2) previously prepared reports, 3) employees memories.

One landfill site not included in the detail section of this inventory is the Rowland Landfill site. The city is under contract with Mr. Rowland to dispose of certain types of waste at this facility. However, since Mr. Rowland is the person responsible for management of this site, we do not believe it belongs in the same category as the sites reported.

Charles R. Hamilton

CRH/dee

cc: Sanitation Division File

Gul Manetten



